

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

\_\_\_\_\_  
Mark Garnes,  
Plaintiff,

v.

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Janet Reno, et al.,  
Defendants.  
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Docket No. 00-CV-0700(WWC)

FILED

MAR 05 2001

PER MA  
HARRISBURG, PA. DEPUTY CLERK

MOTION FOR RECONSIDERATION  
PURSUANT TO RULE 59(e)

COMES NOW, Mark Garnes, Plaintiff, Pro Se, hereby respectfully moves the Honorable Court to reconsider the judgment thereof February 15th, 2001, in that, Plaintiff's claims are being dismissed for failure to state a claim upon which relief may be granted. The dismissal pertains to three of the four claims. The claim not dismissed being Plaintiff's denial of access to the court.

Plaintiff avers here that the claims here mentioned should not be dismissed for failure to state claims as to each. Plaintiff noted that procedural due process was violated thereof placement in the Segregation Housing Unit ("SHU", hereinafter) without substantial facts, in that, the investigating Lieutent was cognizant of the information being provided was false. (Plaintiff's Complaint, Pages 4 - 7) In which, Plaintiff suffered mental agitation, stress, depression, and emotional withdrawals.


As to the second claim being dismissed, Plaintiff avers that the deprivation of the job assignment was discriminatory, failed to provide equal protection therewith matters of other inmates assigned to the Education Department being reinstated to the job assignment upon release from the "SHU" and/or from writ after hearings or proceedings in the federal or state courts.

The final claim being denied, therewith the impingement of Officer Guyer, Unit Manager Shimukus' denying me access to the law library to continue my litigation to the Honorable Courts, is in furtherance of the claim one. The retaliatory endeavors were to impede my process therein the courts.

For the reasons to be set forth below, Plaintiff respectfully request that the Honorable Court reconsider the dismissal of each claim and grant each accordingly to the withheld.

DATED: February 22, 2001  
Fort Dix, New Jersey

Respectfully submitted,

  
Mark A. Garnes - Pro Se  
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